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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Criminal No. CR 09-0493 JSW
Plaintiff,)	
v.)	
REFUGIO GALLEGOS-VALDIVIAS,)	STIPULATION AND PROPOSED
a/k/a Cuco Gallegos-Valdivias, and)	ORDER EXCLUDING TIME FROM
a/k/a Cuco Gallegos-Valdivious,)	FEBRUARY 25, 2010 TO MARCH 4, 2010
Defendant.)	

The parties last appeared before the Court on February 25, 2010, at which time the matter was set to March 4, 2010 for a change of plea.

The parties agree that the time between February 25, 2010 and March 4, 2010 should be excluded under the Speedy Trial Act, in light of the defendant's need for additional time to confer with his counsel. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to effectively prepare and to review the presentence investigation report. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv)

STIPULATION AND ~~PROPOSED~~ ORDER
EXCLUDING TIME
CR 09-0493 JSW

IT IS SO STIPULATED.

DATED: February 25, 2010

/s/
LOREN D. STEWART
Counsel for Refugio Gallegos-Valdivias

DATED: February 25, 2010

/s/
PATRICIA SPALETTA
Special Assistant United States Attorney

Given the reasons stipulated by the parties above, the Court finds that the ends of justice served by excluding the period from February 25, 2010 to March 4, 2010 from the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Accordingly, it is ORDERED that the period from February 25, 2010 to March 4, 2010, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: February 26, 2010


THE HON. JEFFREY S. WHITE
United States District Court Judge